



## **Staff Report**

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### CONTINUED PUBLIC HEARING ON AMENDMENTS TO CHAPTER 15, ARTICLE VIII OF THE MUNICIPAL CODE REGARDING NOISE CONTROL

Honorable Mayor and Council Members:

#### **Summary**

At the March 14, 2006 Council meeting, several issues were raised concerning the proposed noise ordinance. At that time, Council elected to defer the matter until further research by staff could be concluded. Staff is returning at this time to provide an update on this matter.

#### **Background**

At the July 26, 2005 City Council meeting, Council directed staff to assemble a subcommittee to prepare a draft noise ordinance. The subcommittee consisted of members of the City Council, Planning Commission and staff members of the City Managers office, Police Department, and Community Development Department. The subcommittee reviewed other agencies current noises ordinances to determine which would best achieve the balance between the maintenance of quality of life values for Belmont residents and the need for use of noise generating equipment to maintain commercial businesses and residential property.

At the February 14, 2006 Council study session, Council provided feedback and made minor changes to proposed ordinance language. When staff returned to Council at the March 14, 2006 meeting to discuss the proposed ordinance, several issues were raised that required further research.

#### **Discussion**

While researching the issues that were raised at the March 14, 2006 Council meeting, staff concluded that it would be advisable to organize all existing Municipal Codes and State regulations governing noise control along with current Conditional Use Permits regulating pertinent businesses in the city.

Staff has begun organizing all of this material and met with the noise subcommittee on April 24, 2006. The subcommittee discussed which direction should be taken to develop an ordinance that will meet the expectations of the community while protecting the need of businesses.

Staff has completed the proposed draft ordinance which is currently under legal review. Once this is complete, staff will meet with the noise subcommittee for their review and comments. After the noise subcommittee has reviewed the draft ordinance and provided their feedback, staff will meet with the various citizens who have expressed interest in this subject to explain the proposed ordinance and receive their feedback.

After staff has met with the various groups, staff will return to Council for their comments in preparation for introduction of the new ordinance. Staff anticipates returning to Council for their comments at July 11, 2006.

**General Plan/Vision Statement**

Creation of an updated noise ordinance addresses the City Council Priority Agenda and furthers General Plan Goals/Policies outlined below:

1. “To assure that Belmont will be a balanced community with residences, schools, business, industry and space and facilities for social, recreational and cultural activities in keeping with the present character of the City of Belmont”. (1015)
2. “To preserve and enhance the attractive, family-oriented and tranquil quality of Belmont’s residential neighborhoods”. (1015)

**Fiscal Impact**

None at this time. Establishment of a noise ordinance will likely place additional code enforcement demands on staff time and will require the purchase of decibel readers to perform noise measurement readings in association with potential violations.

**Public Contact**

Posting of City Council agenda.

**Recommendation**

Staff recommends the Council continue the matter to the July 11, 2006 Council meeting, directing staff to conclude research efforts, and meet with the subcommittee and interested citizens in preparation of a revised draft noise ordinance.

**Alternatives**

1. Provide alternative direction on preparation of the draft noise ordinance language.

Respectfully submitted,

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